

*The Law Offices Of*  
**SHELLEY L. STANGLER, P.C.**

SHELLEY L. STANGLER  
ATTORNEY AT LAW  
MEMBER N.J. BAR & N.Y. BAR

A PROFESSIONAL CORPORATION  
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FAX: 973.379.0031  
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**NEW YORK OFFICE**  
1 OLD COUNTRY ROAD  
STE. 210  
CARLE PLACE, NY 11514  
TEL: 646.205.0659

November 29, 2010

VIA OVERNIGHT MAIL  
Access Unlimited  
570 Ance Road  
Binghamton, NY 13903  
Attn: Tom Egan, President

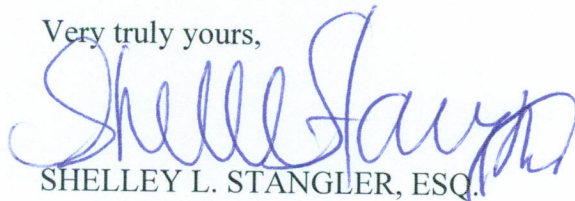
**Re: Estate of Scott Davies vs. Accessible Van & Mobility, LLC. et als**  
**Docket No: HUN-L-0309-07**

Dear Mr. Egan:

Enclosed please find copy of plaintiff's papers in opposition to the motion for summary judgment returnable this Friday, December 3, 2010.

Thank you.

Very truly yours,

  
SHELLEY L. STANGLER, ESQ.

SLS/mf  
Enc.

**SHELLEY L. STANGLER, P.C.**  
**155 MORRIS AVENUE, 2<sup>ND</sup> FLOOR**  
**SPRINGFIELD, NJ 07081**  
**PHONE (973) 379-2500 FAX (973) 379-0031**  
**Attorney for Plaintiffs**

**MARGARET DAVIES, as Administratrix  
of the Estate of SCOTT DAVIES, and  
MARGARET DAVIES Individually,**

**Plaintiffs,**

**-vs-**

**ACCESSIBLE VANS & MOBILITY, LLC,  
VAN CONVERSIONS OF LEHIGH  
VALLEY, INC., ACCESS UNLIMITED,  
TOM EGAN, JOHN DOES 1-10 (as yet  
unidentified persons), ABC BUSINESS  
ENTITIES 2-10 (as yet unidentified  
commercial entities),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUNTERDON COUNTY  
DOCKET NO: HNT-L-0309-07**

**CIVIL ACTION**

**PLAINTIFFS' ANSWER TO MATERIAL  
STATEMENT OF FACTS,  
COUNTERSTATEMENT  
& CERTIFICATION IN OPPOSITION  
TO MOTION FOR SUMMARY  
JUDGMENT**

**ON NOTICE TO:**

**Hardin, Kundla, McKeon & Poletto  
673 Morris Avenue  
P.O. Box 730  
Springfield, NJ 07081-0730**

***Attorneys for Defendant, Van Conversions d/b/a Access Vans & Mobility of PA***

**Thomas F. Egan  
Access Unlimited  
570 Hance Road  
Binghamton, NY 13903  
*Defendant Pro Se***

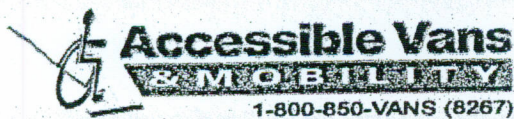
**Wilson, Elser, Moskowitz, Edelman and Dicker, LLP  
33 Washington Street, 18<sup>th</sup> Floor  
Newark, NJ 07102-5003  
Attn: William J. Riina, Esq.**

***Attorneys for Defendant, Van Conversions of Lehigh Valley, Inc.***

Plaintiffs, as and for their response to the Statement of Material Facts of the defendant, set forth as follows:

1. ADMITS that plaintiff filed a complaint naming Accessible Vans & Mobility, LLC as a defendant.
2. ADMITS that the complaint alleges that Accessible Vans & Mobility, LLC was plaintiff's employer.
3. ADMITS that plaintiff amended the complaint to name Van Conversions of Lehigh Valley, Inc. as an additional defendant.
4. DENIES that plaintiff's answer to Uniform Interrogatory No. 3 alleges that Scott Davies' employer installer [sic] the Easy Reach Chair. ADMITTED that plaintiff's answer to Uniform Interrogatory No. 2 alleges that Scott Davies' employer installed the Easy Reach Chair.
5. DENIES that the only evidence that Scott Davies was an employee of Accessible Vans and Mobility, LLC was his business [card] which contained the designation "Accessible Vans & Mobility, LLC."
6. ADMITS that the Order denying defendant's previous motion for summary judgment states there were "issues" regarding Scott Davies' employer.
7. ADMITS that Scott Davies' business card contains a printing error.
8. ADMITS that Scott Davies business card should have contained the designation "Accessible Vans & Mobility" without the LLC identifier.
9. ADMITS that Accessible Vans & Mobility, LLC and Accessible Vans & Mobility (No LLC designation) are two distinct entities.
10. DENIES that Scott Davies' only employer was Van Conversions of Lehigh Valley, Inc.





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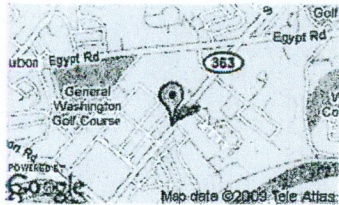


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## Accessible Vans and Mobility van Conversions

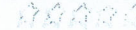
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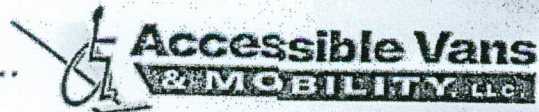
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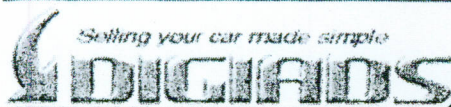
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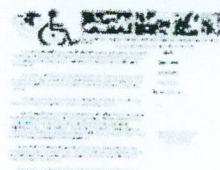


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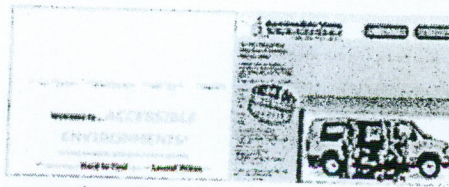
Located in Woodsboro, MD. Eastern Mobility offers preowned conversion vehicles. Visit our website or call 888.845.0533

### **Accessible Environments**

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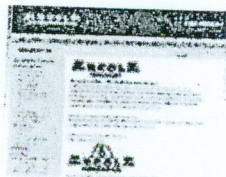
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Accessible Vans and Mobility, LLC is a joint venture of j.Bussani Inc. of New York, Monmouth Vans, Access and Mobility of New Jersey and Van Conversions, Inc. of Pennsylvania. Our six convenient locations offer the largest selection of new and pre-owned vehicles in our region. We also offer a full inventory of adaptive driving aids, scooters, wheelchairs, home accessibility products and accessible van rentals. Visit our website at [www.accessvansandmobility.com](http://www.accessvansandmobility.com) or call us at 800-850-VANS for more information.

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530721

## AFFIDAVIT OF SERVICE

COURT: SUPERIOR COURT  
COUNTY: NEW JERSEY

Svaugler

INDEX NO: HNT-L-0309-07  
EPS NO: 516404

MARGARET DAVIES, A/A/O OF THE ESTATE OF SCOTT DAVIES, ET AL

Plaintiff(s)

- vs. -

ACCESSIBLE VANS &amp; MOBILITY, LLC, ACCESS UNLIMITED, ET AL

Defendant(s)

State of Pennsylvania, County of Dauphin ss.: Chad Spotts  
 being duly sworn, deposes and says that deponent is over 18 years of age and not a party to this action; that on, 6/26/07 at approximately 5:21pm at 6475 RUCH ROAD, BETHLEHEM, PA 18017 deponent served the SUMMONS & COMPLAINT IN A CIVIL ACTION annexed on ACCESSIBLE VANS & MOBILITY, LLC in the following manner:

☐ Individual

By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the described therein.

☒ CorporationBy delivering to and leaving with Dale Marsh who stated ☒ he ☐ she was authorized to accept on behalf of said corporation.☐ Responsible PersonBy delivering to and leaving with \_\_\_\_\_ a true copy thereof, a person of suitable age and discretion. Said premises being the recipients ☐ dwelling place ☐ usual place of abode ☐ place of business within the State of New York.☐ Affixing to DoorBy affixing a true copy thereof to the door of said premises, which is recipients ☐ dwelling place ☐ usual place of abode ☐ place of business within the State of New York. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereon:☐ Mail

A true copy thereof was also deposited on \_\_\_\_\_ in a postpaid, properly addressed envelope, to the above address, bearing the legend "Personal and Confidential", in an official depository under the exclusive care and custody of the United States Postal Service.

☐ Description

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blond Hair	<input checked="" type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> 51-65 Yrs.	<input checked="" type="checkbox"/> 5'9"-6'0"	<input checked="" type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

To my best knowledge, information and belief the said defendant at the time of service was not engaged in military service of the United States. At time of service the index number and date of filing were on the **SUMMONS & COMPLAINT IN A CIVIL ACTION**

COMMONWEALTH OF PENNSYLVANIA

Notarial Seal

John F. Shinkowsky, Notary Public  
Susquehanna Twp., Dauphin County  
My Commission Expires Sept. 28, 2010

Member, Pennsylvania Association of Notaries

Sworn to before me on 06/26/07John F. Shinkowsky

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**AFFIDAVIT OF SERVICE**

ATTORNEY: SHELLEY L. STANGLER, P.C.  
 COURT: SUPERIOR COURT OF NEW JERSEY  
 COUNTY: N/A

EPS NO: 669733  
 ATT. FILE NO:  
 INDEX NO: HNT-L-0309-07  
 INDEX DATE:

MARGARET DAVIES, AS ADMINISTRATRIX OF THE ESTATE OF SCOTT DAVIES ET AL  
 - AGAINST -  
 ACCESSIBLE VANS & MOBILITY, LLC, VAN CONVERSIONS OF LEHIGH VALLEY, INC. ET AL

Plaintiff(s)

Defendant(s)

State of Pennsylvania, County of Dauphin ss.: Chad Spotts  
 being duly sworn, deposes and says that deponent is over 18 years of age and not a party to this action; that on, 09/24/2009 at approximately 4:29 PM at 6475 RUCH ROAD, BETHLEHEM, PA. 18017 deponent served the SUMMONS & COMPLAINT IN A CIVIL ACTION annexed on VAN CONVERSIONS OF LEIGH VALLEY, INC. in the following manner:

☐ Individual

By delivering a true copy thereof to said recipient personally; deponent knew the person so served to be the described therein.

☒ Corporation

By delivering to and leaving with George Shade, Operations Manager who stated ☒ he ☐ she was authorized to accept on behalf of said corporation.

☐ Responsible Person

By delivering to and leaving with \_\_\_\_\_ a true copy thereof, a person of suitable age and discretion. Said premises being the recipients ☐ dwelling place ☐ usual place of abode ☐ place of business within the State of \_\_\_\_\_.

☐ Affixing to Door

By affixing a true copy thereof to the door of said premises, which is recipients ☐ dwelling place ☐ usual place of abode ☐ place of business within the State of \_\_\_\_\_. Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereat, having called thereon:

☐ Mail

A true copy thereof was also deposited on \_\_\_\_\_ in a postpaid, properly addressed envelope, to the above address, bearing the legend "Personal and Confidential", in an official depository under the exclusive care and custody of the United States Postal Service.

☒ Description

<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input checked="" type="checkbox"/> Brown Hair	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
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	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input checked="" type="checkbox"/> Over 200 Lbs.

To my best knowledge, information and belief the said defendant at the time of service was not engaged in military service of the United States. At time of service the index number and date of filing were on the SUMMONS & COMPLAINT IN A CIVIL ACTION

Sworn to before me on 09/28/2009  
[Signature] Notary Public

[Signature]  
 Server

Elite Process Servers, Inc. 1788-08 Little Neck Parkway, Fl

Notarial Seal  
 John F. Shinkowsky, Notary Public  
 Susquehanna Twp., Dauphin County  
 My Commission Expires Sept. 28, 2010



ID # 708890



SHELLEY L. STANGLER

MEMBER N.J. & N.Y. BAR

SHELLEY L. STANGLER, P.C.  
ATTORNEY AT LAW

A PROFESSIONAL CORPORATION  
155 MORRIS AVENUE  
SPRINGFIELD, NJ 07081-1224

Telephone (973) 379-2500  
Facsimile (973) 379-0031  
E-Mail: slsesq@erols.com

NEW YORK OFFICE  
1 OLD COUNTRY ROAD  
SUITE 210  
CARLE PLACE, NY 11514  
(516) 742-9200

June 30, 2006

Accessible Vans & Mobility LLC  
6475 Ruch Road  
Bethlehem, PA 18017

Re: Estate of Scott Davis

Dear Sir/Madame:

We have been retained by the family of Scott Davies to investigate and pursue any claims relating to his unfortunate death on June 14, 2005. At that time Mr. Davies was employed by your company as a Sales Manager. We understand that your primary business involved the sale and installation of vehicle products designed to assist the disabled.

Mr. Davis was in his truck using a power lift chair seat known as Easy Reach, manufactured by Access Unlimited. We are advised that your company installed the seat. Our investigation indicates that the electrical mechanisms used to operate the power lift seat was either modified by you or incorrectly installed resulting in a malfunction that caused Mr. Davies' accident and death.

We are also advised that Mr. Davies' was testing the seat on behalf of your company as a prototype design.

Please be advised that we intend to bring claims based on worker compensation or negligent installation. Please forward this letter to BOTH your worker compensation carrier and your liability carrier promptly. Or you may identify your carriers to us and we will advise them accordingly.

Enclosed please find the police report in connection with this matter. Thank you.

Very truly yours,  
  
SHELLEY L. STANGLER, ESQ.

cc: Margaret Davies



SHELLEY L. STANGLER

MEMBER N.J. & N.Y. BAR

SHELLEY L. STANGLER, P.C.  
ATTORNEY AT LAW

A PROFESSIONAL CORPORATION  
155 MORRIS AVENUE  
SPRINGFIELD, NJ 07081-1224

Telephone (973) 379-2500  
Facsimile (973) 379-0031  
E-Mail: slsesq@erols.com

NEW YORK OFFICE  
1 OLD COUNTRY ROAD  
SUITE 210  
CARLE PLACE, NY 11514  
(516) 742-9200

September 25, 2006

Accessible Vans & Mobility LLC  
925 South Trooper Road  
Norristown, PA 19403  
Attn: Mr. Jack Donovan

Re: Estate of Scott Davies

Dear Mr. Donovan:

We have been retained by the family of Scott Davies to investigate and pursue claims relating to his unfortunate death on June 14, 2005. At that time Mr. Davies was employed by your company as a Sales Manager.

A letter putting your company on notice of our representation and request for insurance information was sent to your office in Bethlehem, PA without response. Follow up calls to Mr. Bill Blazer this past week have gone unreturned.

A copy of the letter is annexed hereto along with the police report.

Our clients advise that there were pieces of the truck and seat taken by your representatives at the scene of the accident and maintained within your company. This letter will serve as notice that you are not to destroy or tamper with any evidence in connection with this case; any attempt to do so may be the basis for additional claims of spoliation and evidence tampering.

The failure to cooperate in notifying us of both your worker compensation and liability carriers will not stop to forestall suit. If you have coverage, and you fail to notify your carrier of the claims, you may be denied coverage and a defense to which you are entitled.

We again ask that you please notify us of your insurance carriers or have them contact us directly.

SHELLEY L. STANGLER, P.C.

Thank you.

Very truly yours,

*Shelley L. Stangler / Ah*  
SHELLEY L. STANGLER, ESQ.

SLS/ar  
Encl.

cc: Margaret Davies





**SHELLEY L. STANGLER, P.C.**  
**155 MORRIS AVENUE, 2<sup>ND</sup> FLOOR**  
**SPRINGFIELD, NJ 07081**  
**PHONE (973) 379-2500 FAX (973) 379-0031**  
**Attorney for Plaintiff**

**MARGARET DAVIES, as Administratrix  
of the Estate of SCOTT DAVIES, and  
MARGARET DAVIES Individually,**

**Plaintiffs,**

**-vs-**

**ACCESSIBLE VANS & MOBILITY, LLC,  
VAN CONVERSIONS OF LEHIGH  
VALLEY, INC., ACCESS UNLIMITED,  
TOM EGAN, JOHN DOES 1-10 (as yet  
unidentified persons), ABC BUSINESS  
ENTITIES 2-10 (as yet unidentified  
commercial entities),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUNTERDON COUNTY  
DOCKET NO: HNT-L-0309-07**

**CIVIL ACTION**

**AFFIDAVIT OF JEFFREY DAVIES**

I, Jeffrey Davies, being over the age of 18, hereby deposes upon my oath:

1. I am the brother of decedent Scott Davies.
2. My family as well as myself knew that Scott worked as a sales manager for a company which was involved in distributing and supplying handicap access equipment for vehicles. My brother had given me his business card and based on our conversations and the card it is my understanding that Scott worked for Accessible Vans & Mobility, LLC which had some connection with a company called Van Conversions, Inc, which also appeared below on the business card.
3. I knew that William (Bill) Blaser was my brother's employer and held the



title of Vice President or other corporate designation for the company that Scott worked for. William Blazer gave a speech in honor of my brother who received an honorary award after his death. He referred in that speech to "our Van Conversions team."

My sister, Kelly, accepted the award, stating "Most recently [Scott] was part of the local **up and coming joint venture of Accessible Vans and Mobility/Van Conversions...**" [emphasis supplied].

4. I also knew that the office for Accessible Vans and Van Conversion was the same office located at 6475 Ruch Road, Bethlehem, PA 18017 with the same phone number 610-837-0707.

5. I was at the scene of the accident and witnessed my brother on the ground and the Seat/Chair which are the subject of this litigation. I had a conversation with Pete Klenke, shop foreman and a co-worker of Scott known to me to be an employee at the same company Scott worked for or an affiliated company working with Scott's company. I am not exactly sure when I had this conversation, but it was within a day or so after the accident. It might have been the day of the accident, but I cannot remember exactly.

6. Pete told me that the seat/chair being used by Scott was installed by his employer and was being used by Scott in his personal vehicle.

7. Pete also told me that parts of the seat/chair were taken away by the employer and would be inspected and the cause of death investigated.

8. Pete discussed with me his thoughts regarding possible causation and why the seat/chair may have or did malfunction.

9. The aforementioned statements are true to the best of my knowledge and recollection. I am aware that if any are willfully false I am subject to punishment.

Sworn to before me this

10 day of November 2009

[Signature]  
Notary Public

FRANCIS R. HAGAN  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires October 6, 2011

[Signature]  
JEFFREY DAVIES





1 SUPERIOR COURT OF NEW JERSEY

2 LAW DIVISION : HUNTERDON COUNTY

3 DOCKET NO. HNT-L-0309-07

4 MARGARET DAVIES, as Administratrix :  
5 of the Estate of SCOTT DAVIES, and :  
6 MARGARET DAVIES, Individually, :

7 Plaintiffs, :

8 vs. :

9 ACCESSIBLE VANS & MOBILITY, LLC, :  
10 VAN CONVERSIONS OF LEHIGH VALLEY, :  
11 INC., ACCESS UNLIMITED, TOM EGAN, :  
12 JOHN DOES 1-10 (as yet unidentified :  
persons), ABC BUSINESS ENTITIES :  
2-10 (as yet unidentified :  
commercial entities), :  
Defendants. :

-----

13  
14 DEPOSITION OF: ADRIAN SITOSKI

15 WEDNESDAY, OCTOBER 20, 2010

16  
17  
18  
19  
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1 Ford seat with the Bruno one. And it also didn't  
 2 go low enough to the ground for him to transfer  
 3 properly. And that's why he got this new unit.  
 4 This one was supposed to do everything that he  
 5 wanted it to do.  
 6 Q. Do you know if he was selling  
 7 Brunos to customers?  
 8 A. I don't remember.  
 9 Q. Do you know if any customers were  
 10 complaining about Brunos, that they would like a  
 11 different or a better product?  
 12 A. No.  
 13 Q. Do you know whether or not there  
 14 were any customers of pick-up trucks that were  
 15 looking for a chair that might meet their needs  
 16 better than a Bruno?  
 17 A. No.  
 18 Q. Were you ever in contact personally  
 19 with any customers of pick-up trucks or trucks?  
 20 A. Yes.  
 21 Q. Under what circumstances?  
 22 A. We had two customers who had  
 23 similar units installed. I don't remember what  
 24 brands they were or the specifics about them.  
 25 They were both years ago. I know there was two

1 of them that had similar units.  
 2 Q. When you say "similar," like an  
 3 Easy Reach or a Bruno?  
 4 A. Something on that line.  
 5 Q. You are not sure?  
 6 A. Yes.  
 7 Q. Do you recall, in particular,  
 8 whether there were any, I don't want to use the  
 9 word complaints, but any comments by these truck  
 10 drivers about their seats?  
 11 A. No. Too much time gone by.  
 12 Q. All right. So, then, there came a  
 13 time when you actually installed the seat for Mr.  
 14 Davies. Is that correct?  
 15 A. Yes.  
 16 Q. Can you tell me the particulars of  
 17 that? How did that come about?  
 18 A. We started on his truck -- I don't  
 19 remember if I was the person who took the old  
 20 unit out. I don't really remember the specifics  
 21 about it. I may not remember just because taking  
 22 stuff out is a lot easier than putting stuff in.  
 23 It doesn't require that much thought. You just  
 24 kind of go ahead and do it.  
 25 We got the lift taken out, we got

1 the van all prepared, some other preparation work  
 2 was done on the floor. I don't know anything  
 3 about that. I don't know who did it.  
 4 Q. You didn't do that?  
 5 A. No.  
 6 Q. What was the preparation on the  
 7 floor?  
 8 A. Something was done to the floor.  
 9 It was extended or it was lowered. Something was  
 10 changed, because this unit would not fit where  
 11 the Bruno unit was. This one was a little bit  
 12 longer, so they had to do something in the back.  
 13 Q. So, the floor, the floor that was  
 14 changed, that was not done in connection with the  
 15 Bruno?  
 16 A. It was done for the Bruno, but I  
 17 think something had to be changed on it, again,  
 18 for this unit, something was a little different.  
 19 Q. Do you know if anybody at Van  
 20 Conversions did that?  
 21 A. I don't know.  
 22 Q. You didn't do it?  
 23 A. I didn't do it. I don't know if  
 24 somebody else did. I don't remember.  
 25 Q. Do you know if anybody else from

1 Van Conversions worked on installation of the  
 2 Easy Reach chair?  
 3 A. No. Just me.  
 4 Q. Did Scott Davies assist you?  
 5 A. No.  
 6 Q. Was Scott Davies there at all when  
 7 you did it?  
 8 A. Yes.  
 9 Q. How long did it take you to do it?  
 10 A. One or two evenings.  
 11 Q. My understanding is you did this  
 12 after work based on some other testimony we have  
 13 had in the case.  
 14 A. Yes. We were so busy. It kind of  
 15 got put off to the side. We just couldn't seem  
 16 to get time to fit it in the schedule to finish  
 17 it up. So, that's why I did it for him after  
 18 hours.  
 19 Q. So, in other words, if it had been  
 20 that you were so busy that you couldn't get fit  
 21 it in during regular business hours. Is that  
 22 correct?  
 23 A. Right.  
 24 Q. And if you could have, you would  
 25 have?



**SHELLEY L. STANGLER, P.C.**  
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**SPRINGFIELD, NJ 07081**  
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**Attorney for Plaintiff**

**MARGARET DAVIES, as Administratrix  
of the Estate of SCOTT DAVIES, and  
MARGARET DAVIES Individually,**

**Plaintiffs,**

**-vs-**

**ACCESSIBLE VANS & MOBILITY, LLC,  
VAN CONVERSIONS OF LEHIGH  
VALLEY, INC., ACCESS UNLIMITED,  
TOM EGAN, JOHN DOES 1-10 (as yet  
unidentified persons), ABC BUSINESS  
ENTITIES 2-10 (as yet unidentified  
commercial entities),**

**Defendants.**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: HUNTERDON COUNTY  
DOCKET NO: HNT-L-0309-07**

**CIVIL ACTION**

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**PLAINTIFF'S MEMORANDUM OF LAW IN  
OPPOSITION TO MOTION FOR SUMMARY JUDGMENT**

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**On the Brief:**

**Shelley L. Stangler, Esq.  
Judith L. Rosenthal, Esq.**



## **PRELIMINARY STATEMENT**

Discovery has revealed that the affairs of Van Conversions, Inc., Accessible Vans & Mobility, LLC and Accessible Vans & Mobility [no LLC] were so intertwined that, five years after Scott Davies' death-- their own employees still cannot distinguish between the three entities. As is now known, the entities have overlapping ownership, operated out of the same premises, shared accounting staff, participated in a joint marketing venture, accepted mail on each other's behalf, and Van Conversions, Inc. branded its paychecks and business cards with the name "Accessible Vans & Mobility, LLC" and/or "Accessible Vans & Mobility." Based on this record, there are material issues of fact as to which entity employed Scott Davies, and/or there is a fact issue as to whether one or more of these entities can be deemed "joint employers," thus precluding summary judgment in favor of Accessible Vans & Mobility, LLC.

## FACTS

The constellation of facts adduced through discovery has produced no clear-cut evidence as to the identity of Scott Davies' employer. The confusion stems from five areas: (i) paychecks; (ii) business cards; (iii) signage; (iv) a "joint venture" arrangement, and (v) overlapping ownership. As will be seen below, based on these five issues, the employees of these entities themselves cannot differentiate between them.

### A. The Paychecks

Although Douglas Nothstein was produced as an employee of Van Conversions, Inc. (and a co-worker of Scott Davies), he claimed his employer was "Accessible Vans & Mobility" based on the fact that this name appeared on his paychecks. (Counter-Statement of Material Facts, ¶ 1; Nothstein Tr. at 37:5-11, Stangler Cert., Exhibit "A"). The principals of Van Conversions, Inc., admitted that the paychecks designated the employer as "Accessible Vans & Mobility," but attempted to explain the disparity by claiming that Van Conversions, Inc. put the name, "Accessible Vans & Mobility" on all its materials because "[t]hat was our marketing brand" and "[y]ou are always marketing to your employees." (Counter-Statement of Material Facts, ¶ 2; Blaser Tr. at 14:2-8; 34:3-36:12, Gurski Cert., Exhibit "G"; Donovan Tr. at 53:20-23, Gurski Cert., Exhibit "F"). This disparity creates a material issue of fact precluding summary judgment.

### B. The Business Cards

Employees were issued business cards that bore -- in large font -- the words "Accessible Vans & Mobility, LLC", below which appeared -- in smaller font -- the words "Van Conversions, Inc." (Counter-Statement of Material Facts, ¶ 3; Gurski Cert., Exhibit "D"). Similarly, the e-mail and web sites shown on the business cards are for



“accessvansandmobility.com.” (Counter-Statement of Material Facts, ¶ 4; Gurski Cert., Exhibit “D”). The business card indicates that Davies’ e-mail address was sdavies@accessiblevansandmobility.com. (Counter-Statement of Material Facts, ¶ 5; Gurski Cert., Exhibit “D”). The business cards bearing the words “Accessible Vans & Mobility, LLC” were issued to all employees, including Scott Davies, by the marketing department of Van Conversions, Inc. (Counter-Statement of Material Facts, ¶ 6; Blaser Tr. at 21:9-19, Gurski Cert., Exhibit “G”; Donovan Tr. at 66:13-20, Gurski Cert., Exhibit “F”). Blaser’s own e-mail address, Bblaser@avmvans.com linked him with one of the Accessible Vans & Mobility entities, rather than Van Conversions, Inc. (Counter-Statement of Material Facts, ¶ 7; Blaser Tr. at 37:20-24, Gurski Cert., Exhibit “G”).

Defendant claims that the business cards using the “LLC” designation were printed in error. Interestingly, instead of claiming that the cards should have advertised *Van Conversions*’ web address and e-mail address, Donovan claimed only that the cards should not have included the “LLC” designation after the words “Accessible Vans & Mobility.” (Counter-Statement of Material Facts, ¶ 8; Donovan Tr. at 66:21-67:4, Gurski Cert., Exhibit “F”). Furthermore, Defendants have no idea how long they permitted employees to use the business cards before being recalled. (Counter-Statement of Material Facts, ¶ 9; Donovan Tr. at 22:5-8, Gurski Cert., Exhibit “F”).

Apparently, the various designations on the business card were sufficiently confusing that the alleged employees of Van Conversions, Inc. are unsure of the identity of their employer. For example, when shown Scott Davies’ business card, Douglas Nothstein, the purported employee of Van Conversions, Inc., testified that Scott Davies

worked for *both* companies, explaining, “*it’s all one big company.*” (Counter-Statement of Material Facts, ¶ 10; Nothstein Tr. at 40:11-25, Stangler Cert., Exhibit “A”; *and see* Nothstein Tr. at 41:5-12 (stating he was not aware of any separate entities; that both companies were “*all the same*”)).

Likewise, Van Conversion, Inc.’s alleged employee, Frederick Klenke, when shown Scott Davies’ business card, testified he carried the same business card, and that Scott Davies worked for *both* companies, explaining that they were “*the same*” company.” (Counter-Statement of Material Facts, ¶ 11; Klenke Tr. at 22:17-23:8, Stangler Cert., Exhibit “B”).

C. Signage

During the 2005 time period, rather than advertise itself as “Van Conversions, Inc.,” the signage outside the Bethlehem and Norristown, Pennsylvania facilities carried the name “Accessible Vans & Mobility.” (Counter-Statement of Material Facts, ¶ 12; Donovan Tr. at 19:13-20:24, Gurski Cert., Exhibit “F”).

D. Joint Marketing Venture

Donovan testified that the three companies at issue “formed a marketing alliance and purchasing alliance, and Accessible Vans & Mobility, LLC participates as a member of that alliance, as Van Conversions, Inc. does.” (Counter-Statement of Material Facts, ¶ 13; Donovan Tr. at 14:14-20, Gurski Cert., Exhibit “F”; *see also*, Donovan Tr. at 20:3-7). Donovan also testified that Van Conversions of Lehigh Valley, LLC, a subsidiary of Van Conversions, Inc., advertised itself as “Accessible Vans & Mobility” because of the marketing and purchasing alliance. (Counter-Statement of Material Facts, ¶ 14; Id. at 21:3-25). Blaser likewise testified that Accessible Vans & Mobility was a marketing



alliance. (Counter-Statement of Material Facts, ¶ 15; Blaser Tr. at 20:19-21:8, Gurski Cert., Exhibit “G”). Finally, Blaser testified that Van Conversions, Inc. put the brand “Accessible Vans & Mobility, LLC” on “every material that we produce...so that we and two former competitors could jointly market, jointly open locations and jointly purchase.” (Counter-Statement of Material Facts, ¶ 16; Donovan Tr. at 36:4-19, Gurski Cert., Exhibit “G”).

E. Overlapping Ownership and Operations

During the 2004/2005 time period, Van Conversions, Inc. owned a 45% interest in Accessible Vans & Mobility, LLC. (Counter-Statement of Material Facts, ¶ 17; Blaser Tr. at 15:4-10; 16:5-9, Gurski Cert., Exhibit “G”). Specifically, (a) Jack Donovan and William Blaser own 55% and 45%, respectively, of Van Conversions, Inc., and (b) Jack Donovan and William Blaser each own 16.7% of Accessible Vans & Mobility, LLC.<sup>1</sup> (Counter-Statement of Material Facts, ¶ 18; Donovan Tr. at 23:7-15; 24:22-25:14, Gurski Cert., Exhibit “F”; Blaser Tr. at 12:7-11, Gurski Cert., Exhibit “G”).

The two companies also have overlapping operations. Van Conversions, Inc. performed accounting for Accessible Vans & Mobility, LLC. (Counter-Statement of Material Facts, ¶ 21; Donovan Tr. at 36:2-16, Gurski Cert., Exhibit “F”). Both Van Conversions, Inc. and Accessible Vans & Mobility, LLC were engaged in the same line of work: “providing specialty transportation products and services,” and both sold

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<sup>1</sup> Jack Donovan later testified, inconsistently, that he and William Blaser did not each own 16.7% of Accessible Vans & Mobility, LLC, but that instead, Van Conversions, Inc. owned 33% of Accessible Vans & Mobility, LLC. (Counter-Statement of Material Facts, ¶ 19; Donovan Tr. at 29:6-30:6, Gurski Cert., Exhibit “F”). This distinction is immaterial for purposes of this opposition. What is important is the fact that both admit to overlapping ownership, regardless of the exact percentages. (Counter-Statement of Material Facts, ¶ 20).



vehicles. (Counter-Statement of Material Facts, ¶ 22; Blaser Tr. at 16:25-17:11; 18:9-14, Gurski Cert., Exhibit “G”). In addition, Van Conversions, Inc. accepted mail addressed to Accessible Vans & Mobility, LLC at both the Bethlehem, PA and Norristown, PA facilities. (Counter-Statement of Material Facts, ¶ 23; Donovan Tr. at 94:19-95:7, Gurski Cert., Exhibit “F”; Stangler Cert., Exhibit “D” (mail addressed to Accessible Vans & Mobility, LLC at Van Conversion, Inc.’s address)). Service of the amended complaint upon the new defendant “Van Conversions of Lehigh Valley, Inc. also was at the same location and same office as Accessible Van Lines & Mobility, LLC at 6475 Ruch Road, Bethlehem, PA 18017. (Counter-Statement of Material Facts, ¶ 24; *see* affidavits of service on June 26, 2007 and September 24, 2009, Stangler Cert., Exhibit “D”).

Finally, web research data identifies Accessible Vans and Mobility, LLC as a “joint venture of J. Bussani Inc. of New York, Monmouth Vans, Access and Mobility of New Jersey and Van Conversions, Inc. of Pennsylvania, “ and “our six convenient locations offer the largest selection...Visit our website at [www.accessvansandmobility.com](http://www.accessvansandmobility.com).” (Counter-Statement of Material Facts, ¶ 25; Stangler Cert., Exhibit “C”). This website is the same one given on decedent’s business card, as is the address. (Counter-Statement of Material Facts, ¶ 26; *compare* Gurski Cert., Exhibit “D”, *and* Stangler Cert., Exhibit “C”).

E. Installation of the Easy Reach Power Life Chair

Scott Davies’ brother, Jeffrey Davies, avers that plaintiff’s employer or affiliated entity was responsible for installing the subject Easy Reach chair into decedent’s vehicle, having obtained that information directly from a co-worker and the shop foreman at decedent’s place of employment (Counter-Statement of Material Facts, ¶ 27; Davies



affidavit, Stangler Cert., Exhibit "E"). The Chair was installed at the Bethlehem facility, where both Van Conversions, Inc. and Accessible Vans & Mobility, LLC, operated from. The Chair was also repaired at the Bethlehem facility. (Counter-Statement of Material Facts, ¶ 28; Sitoski Tr. at 71:12-15, Stangler Cert., Exhibit "F").

In short, it appears that for marketing and operations purposes, Accessible Vans & Mobility, LLC and Van Conversions, Inc. availed themselves of each other's names, addresses, personnel, and goodwill. However, for liability purposes, they seek to distance themselves from each other.

## **LEGAL ARGUMENT**

### **POINT I**

#### **GENUINE ISSUES OF FACT PRECLUDE THE GRANT OF SUMMARY JUDGMENT**

Summary Judgment is an extraordinary measure in direct conflict with the express policy affording a litigant the opportunity to try his or her case on its merits. Hearon v. Burdette Tomlin Memorial Hospital, 213 N.J. Super. 98 (App. Div. 1986). Consequently, summary judgment is to be granted only with extreme caution. Ruvolo v. American Casualty Co., 39 N.J. 490 (1963). The papers supporting summary judgment must be closely scrutinized and opposing papers must be indulgently treated. Hermann Forwarding Co. v. Pappas Insurance Co., 273 N.J. Super. 54 (App. Div. 1994).

Defendants are not entitled to summary judgment unless it can be shown that there is no genuine issue of material fact and that they are entitled to judgment as a matter of law. Civ. Rule 4:46-2. Defendants have the burden of proof on this issue and the

pleadings, motions and evidence should be viewed in the light most favorable to the opposing party. Judson v. Peoples National Bank & Trust Co., Westfield, 17 N.J. 67 (1954). The Court must accept as true all the evidence which supports the position of the opposing party, must accord him or her the benefit of all legitimate inferences which can be deduced therefrom, and if reasonable minds could differ, the motion must be denied. Brill v. Guardian Life Insurance Co. of America, 142 N.J. 520 (1995).

In Brill, *supra*, the Supreme Court addressed the issue of how to determine whether a “genuine” issue has been presented. The Court is required to “engage in an analytical process essentially the same as that necessary to rule on a motion for a directed verdict: ‘whether the evidence presents a sufficient disagreement to require submission to a jury or whether it is so one-sided that one party must prevail as a matter of law,’ Brill, *supra*, citing Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986).

The analysis also requires a determination as to whether a reasonable jury could find in plaintiff’s favor. “If the evidence, together with the legitimate inferences therefrom, could sustain a judgment in plaintiff’s favor,” then the motion should be denied. Brill, *supra*.

Although the Court is called upon to engage in an evaluation of the evidence, it is not the same review as that of the fact finder. It is not the Court’s function to weigh the credibility or the weight of the evidence. The Brill Court emphasized that “[i]t is critical that a trial court ruling on a summary judgment motion not ‘shut a deserving litigant from his [or her] trial,’ citing Judson, *supra*. The Court should merely determine whether any rational fact finder could possibly resolve the dispute in the opposing party’s favor.



Here, the affidavit of plaintiff's brother Jeffrey Davies states facts which, if true, implicate the employer as the entity responsible for the negligent installation alleged in the complaint. Thus, it is important to identify the employer. The evidence adduced through discovery, however, creates a contradictory record.

Based on paychecks, business cards and signage, not even the employees of these entities can determine the identity of their employer, stating that the two companies are "the same," or "all one big company." Both Nothstein and Klenke have worked for Van Conversions, Inc./Accessible Vans & Mobility, LLC since 2002. If, in the past eight (8) years, neither of these employees can determine the identity of their employer, then this issue is certainly not susceptible of determination for purposes of entry of summary judgment. Clearly a genuine issue of material fact still exists in this case sufficient to deny summary judgment. Importantly, Movant failed to include the deposition testimony of these two witnesses, in an obvious effort to disguise the fact that there is a genuine issue of material fact as to the identity of Davies' employer. This issue can only be resolved by a jury, precluding entry of summary judgment in favor of Accessible Vans & Mobility, LLC.

## **POINT II**

### **ACCESSIBLE VANS & MOBILITY, LLC MAY BE FOUND LIABLE TO PLAINTIFFS AS THE "JOINT EMPLOYER" OF SCOTT DAVIES.**

Although Plaintiff has brought suit against Scott Davies' employer (whichever entity that may be), because Davies' was not injured and did not die in the course of his employment, the workers' compensation bar does not apply to this case. The body of law

applicable to workers' compensation as well as cases brought under the Law Against Discrimination ("LAD"), however, may apply to determine whether Accessible Vans & Mobility, LLC and Van Conversions, Inc. are jointly liable under the "Joint Employment" doctrine, which is triggered by a joint business arrangement. Hall v. Fanticone, 322 N.J. Super. 302, 307 (App. Div. 1999), *citing* 1C Arthur Larson, THE LAW OF WORKMEN'S COMPENSATION § 48.43 (1990). "Joint employment" occurs when a single employee, under the simultaneous control of two companies, simultaneously performs the same or similar services for both employers. *Id.*, *citing* Larson, THE LAW OF WORKMEN'S COMPENSATION, § 48.43 at 8-522. Courts have found that "where two employers jointly interested in [a] project exert some measure of control, both are liable ..." Hall, 322 N.J. Super. at 308, *citing*, Scott v. Public Serv. Interstate Transp. Co., 6 N.J. Super. 226, 229 (App. Div. 1950). In Hall, plaintiff worked for CTI as a tractor trailer driver. The truck portion of the tractor trailer was registered to D&P and leased to CTI. It was unclear as to which entity owed the trailer portion of the vehicle. In determining the applicability of the workers' compensation bar, the court found that the circumstances created a classic example of "joint employment," because although CTI and D&P were separate corporations, each of which pursued its own business purpose, "their shared business premises, equipment, and chief operating officer, enabled each to exercise sufficient control over the other's sphere of interest." 322 N.J. Super. at 308.

In the context of a LAD claim, a person may be deemed to be a joint employee of two separate companies where there is some degree of control exercised by both companies over the individual, the worker is economically dependent on the employer's work, and whether the employee is a "cog" in the company's operations (*i.e.*, the



employee is functionally integrated into each company's operations). Courts emphasize that it is critical to look beyond labels to the substance of the relationship between the individual and the organization. Scafuri v. Sisley Cosmetics USA, Inc., 2009 WL 4251861 (App. Div. 2009), *citing* D'Annunzio v. Prudential Ins. Co. of Am., 192 N.J. 110 (2007). In Scafuri, the court found that a cosmetics (Counter manager, although overtly employed only by Sisley, was the joint employee of both Sisley and Neiman Marcus because she worked in physical proximity to Neiman Marcus employees, teamed with them to sell Sisley cosmetics and sold other Neiman Marcus products when necessary to accomplish the store's goal of keeping customers satisfied and maximizing sales. 2009 WL 4251891 at \*5.

Here, although Accessible Vans & Mobility, LLC and Van Conversions, Inc. are separate companies, they share an identical business purpose (i.e., providing specialty transportation products and services), formed an explicit joint venture to pursue their common business purpose (Accessible Vans & Mobility), operated out of the same premises (Ruch Road, Bethlehem, PA), shared ownership, shared accounting personnel and operations, and jointly branded employees' paychecks and business cards, as well as the signage outside of their common offices. Davies job, selling specialty transportation products and services, benefitted both companies due to the marketing alliance they had formed, and thus he was a "cog in the wheel" of each entity. Borrowing from the law of workers' compensation and LAD, reasonable minds should not differ on the issue of plaintiff's status as a joint employee of Accessible Vans & Mobility, LLC and Van Conversions, Inc. As a joint employee of the two companies, Accessible Vans &

Mobility, LLC is not entitled to dismissal from this case. Rather, a jury is entitled to weigh this Defendant's share of liability, if any.

### POINT III

#### EVEN IF THE COMPANIES ARE LEGALLY DISTINCT, THE LACK OF OBSERVANCE OF CORPORATE FORMALITIES MAKES THEM EACH SUBJECT TO LIABILITY.

To warrant piercing the corporate veil of a parent corporation, a party must establish (1) that the subsidiary was dominated by the parent corporation, and (2) that adherence to the fiction of a separate corporate existence would perpetrate a fraud or injustice, or otherwise circumvent the law. Verni ex rel. Burstein v. Harry M. Stevens, Inc., 387 N.J. Super. 160 (App. Div. 2006). Piercing the corporate veil "is a fact sensitive issue usually left to a jury, unless there is no evidence sufficient to justify disregard of the corporate form." G-I Holdings, Inc. v. Bennet, 380 F. Supp. 2d 469, 477 (D.N.J. 2005).

Here, Van Conversions, Inc. owned a 45% interest in Accessible Vans & Mobility, LLC. (Blaser Tr. at 15:4-10; 16:5-9, Gurski Cert., Exhibit G). There has been no evidence that Accessible Vans & Mobility, LLC was in any way distinct from Van Conversions, Inc., and indeed their employees could not differentiate the two entities based on their purposeful co-branding of paychecks, business cards and signage. Rather, they were both part of an amorphous marketing alliance that appeared to operate as one unit for all purposes, except when it comes to assigning liability. As such, the only reason for allowing these companies to now adhere to the fiction of a separate corporate existence would be to perpetrate a fraud or injustice, or otherwise circumvent the law, by denying Plaintiff a remedy at law against Accessible Vans & Mobility, LLC.



Under G-I Holdings, Inc. v. Bennet, to let Accessible Vans & Mobility, LLC out of this case, there must be *no* evidence that would allow a jury to disregard the corporate form. Here, however, a jury is entitled to weigh the paychecks, business cards, signage, shared personnel, and overlapping ownership, to determine whether the two companies are sufficiently distinct that the corporate form may not be disregarded. Thus, based on the intentional blurring of corporate identities over the past several years, the motion for summary judgment, seeking to dismiss Accessible Vans & Mobility, LLC on the grounds that it is separate and distinct from any entity that employed Davies, must be denied.

### CONCLUSION

For the reasons set forth above it is respectfully requested that the motion for Summary Judgment should be denied in its entirety.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S. Stangler', with a long, sweeping horizontal line extending to the right.

SHELLEY L. STANGLER, ESQ.

Dated: November \_\_, 2009





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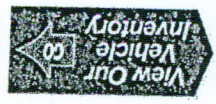
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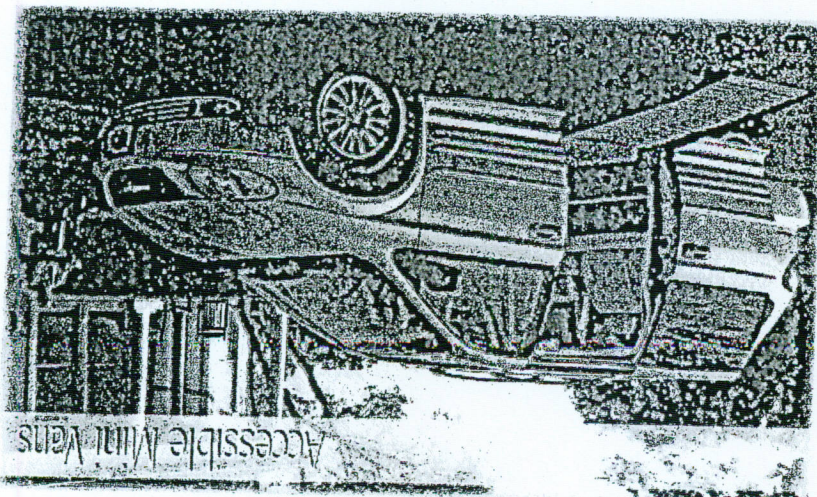
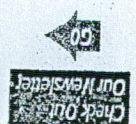
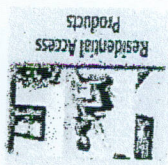
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MARGARET DAVIES, as

Administratrix of the

Estate of SCOTT

DAVIES, and MARGARET

DAVIES, individually,

DEPOSITION OF:

Plaintiffs, FREDERICK J. KLENKE

-vs-

ACCESSIBLE VANS &

MOBILITY, LLC, VAN

CONVERSIONS OF LEHIGH

VALLEY, INC., ACCESS

UNLIMITED, TOM EGAN,

et als.,

Defendants.

Tuesday, March 2, 2010  
Newark, New Jersey

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1	Q. Who is he?	1	Q. And you're not familiar with any
2	A. He's the owner of the company.	2	joint ventures, partnerships, how these entities
3	Q. And Bill Blaser?	3	were --
4	A. He's vice president of the company.	4	A. No.
5	Q. Do you know who the other corporate	5	Q. Let me just finish. I know the
6	officers are?	6	answer is no, I just want to get it on the
7	A. No.	7	record.
8	Q. Have you ever heard of a company	8	(Continuing) You don't know whether these
9	called Accessible Vans & Mobility?	9	are separately incorporated entities, whether
10	A. Yeah.	10	they're joint ventures, partnerships, or whether
11	Q. Can you tell me who they are?	11	they have any relationship with each other?
12	A. Van Conversions.	12	A. No.
13	Q. So as far as you're concerned, as	13	Q. You get a W-2 from Van Conversions
14	far as you know, Accessible Vans & Mobility is	14	of Lehigh Valley?
15	one and the same company as Van Conversions?	15	A. Correct.
16	A. Yes.	16	Q. And as far as you know, Scott
17	Q. Okay. Now, I'm going to show	17	Davies did too?
18	you -- well, we've got Mr. Nothstein's card today	18	A. Yes.
19	which is P-1 for today's date, and we also have	19	Q. If I asked you; and again, if it's
20	Mr. Davies' business card, Davies' 1, 12/21/09.	20	no, I understand, if I asked you what your gross
21	Are you familiar with these business cards?	21	receipts and sales were from commercial clients/
22	A. Uh-hum.	22	customers versus retail, could you tell me that?
23	Q. Do you have one that is similar?	23	A. No.
24	A. Yeah.	24	Q. Do you know if Van Conversions has
25	Q. All right. So you see it says	25	25
1	Accessible Vans & Mobility on top there?	1	any particular geographic area that you work
2	A. Uh-hum.	2	within?
3	Q. Below that it says Van Conversions,	3	A. No.
4	Inc.?	4	Q. Is it nationwide? In other words,
5	A. Uh-hum.	5	do you have customers from all over the country
6	Q. Do you know those to be the same or	6	or just from let's say Pennsylvania, New Jersey,
7	different companies?	7	something like that?
8	A. That's the same.	8	Commercial is national Retail is
9	Q. My understanding is if someone	9	probably just the northeast.
10	calls the Norristown, Pennsylvania address	10	Q. And are the sales managers divided
11	someone is going to answer the phone Accessible	11	into geographic locations?
12	Vans & Mobility.	12	A. No.
13	A. At that time, yes.	13	Q. They're divided into the type of
14	Q. At that time. Okay. Now is there	14	service they're providing, either retail or
15	any relationship between Accessible Vans &	15	commercial?
16	Mobility, Van Conversions, Inc. and Van	16	A. Yes.
17	Conversions of Lehigh Valley, Inc. that you know	17	Q. Have you yourself -- were you a
18	about?	18	production manager when you first came on board
19	A. No.	19	in 2002?
20	Q. It's all the same to you?	20	A. Yes.
21	A. All the same to me.	21	Q. Did you ever have occasion or have
22	Q. You don't know them to be separate	22	you had occasion in your own work to either
23	companies?	23	install, service, or maintain any of these
24	A. No, that would be corporate	24	vehicles that you're selling?
25	information.	25	A. Yes.





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